

EXECUTIVE SUMMARY

SITKA NATIONAL HISTORICAL PARK

PROPOSED 2004 COMPENDIUM

Sitka National Historical Park is seeking public comment on the park's proposed compendium for 2004. The attached draft compendium is a written compilation of all designations, closures, permit requirements and other restrictions to be imposed under discretionary authority. After review and considering the need for annual updates, I am proposing that no changes be made from last year.

Please contact Sitka National Historical Park, Sitka, Alaska at (907) 747-6281 for questions relating to information provided in this proposed compendium.

SITKA NATIONAL HISTORICAL PARK
2004
PROPOSED COMPENDIUM

National Park Service (NPS) regulations applicable to the protection and equitable public use of units of the National Park System grant specified authorities to a park superintendent to allow or restrict certain activities. NPS regulations are found in Titles 36 and 43 of the Code of Federal Regulations (CFR) and created under authority and responsibility granted the Secretary of Interior in Titles 16 and 18 of the United States Code.

The following compendium comprises a listing of all NPS regulations that provide the Superintendent with discretionary authority to make designations or impose public use restrictions or conditions. The larger body of NPS regulations that do not provide discretionary authority to the Superintendent is not cited in this compendium. A complete and accurate picture of regulations governing use and protection of the park can only be gained by viewing this compendium in context with the full body of applicable regulations found in Titles 36 and 43 CFR.

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TITLE 36 CODE OF FEDERAL REGULATIONS

PART 1. GENERAL PROVISIONS

1.5 Closures and public use limits

(a)(1) Visiting hours, public use limits, closures

The Park is a “day use area”. Park grounds are open the following hours:

Summer months (May 15 to September 30)

6:00 a.m. to 10:00 p.m.

Winter months (October 1 to May 14)

7:00 a.m. to 8:00 p.m.

The upper Visitor Center bus parking lot is reserved for tour buses and oversized vehicles between 7:30 a.m. and 5:30 p.m. from May 15 to September 30. Small buses are allowed in the Visitor Center lower parking lot only to drop off and pick up passengers with disabilities.

Both upper and lower Visitor Center parking lots are closed to all use after park grounds are closed. No overnight parking is allowed within park boundaries.

Pedestrian through-traffic is allowed on the section of trail between Sawmill Creek Road, over the Indian River footbridge and to or from the upper Visitor Center parking lot after park grounds are closed - provided that pedestrians do not loiter. All other portions of the trail system and grounds are closed before and after grounds hours.

Eating, drinking and smoking are prohibited inside park facilities, including The Visitor Center, Southeast Alaska Indian Cultural Center and the Russian Bishop's House.

Skating, skateboarding or use of other similar recreational devices is not allowed in the park. Prohibited areas include sidewalks and parking areas. *These devices are prohibited based on safety concerns that skaters are not adequately able to stop or avoid other pedestrians or vehicles.*

Bicycle riding is prohibited in the park except in parking areas. Bicycles may be walked through the park via the most direct route possible to or from the Sawmill Creek Road entrance and the upper Visitor Center parking lot. Bicycles may be parked in the bike racks provided near each trail entrance. Leaving bicycles unattended in the park for more than 20 minutes, other than in designated bike racks, is prohibited. *This activity is prohibited based on safety concerns that bicyclists are not adequately able to stop to avoid other pedestrians or vehicles on the park's winding, forested trails.*

See specific sections in this document for additional information regarding closures, visiting hours and public use limits.

(a)(2) Designated areas for specific use or activity or conditions

See specific sections in this document for additional information regarding designated areas and conditions for engaging in certain activities.

1.6(f) Compilation of activities requiring a permit

- Collecting research specimens, (2.5)
- Operating a power saw in developed areas, (2.12(a)(2))
- Operating a portable motor or engine in undeveloped areas, (2.12(a)(3))
- Operating a public address system, (2.12(a)(4))
- Air delivery, (2.17(a)(3))
- Noncommercial soliciting, (2.37)
- Using, possessing, storing, or transporting explosives, blasting agents, or explosive materials, (2.38(a))
- Special events, (2.50(a))
- Public assemblies and meetings, (2.51(a))
- Sale and distribution of printed matter, (2.52(a))
- Residing on federal lands, (2.61(a))

- Installing a monument, (2.62(a))
- Commercial notices or advertisements, (5.1)
- Commercial operations, (5.3)
- Commercial photography or filming, (5.5)
- Repair or construction of any structure or facility, road, trail, or airstrip on federal lands, (5.7)
- Salvaging, removing, possessing aircraft, (43 CFR 36.11(f)(3)(ii))
- Helicopter landings, (43 CFR 36.11(f)(4))
- Off-road vehicle (ORV) use, (43 CFR 36.11(g)(2))
- Temporary access across federal land for survey, geophysical or exploratory work, (43 CFR 36.12(c))

PART 2. RESOURCE PROTECTION, PUBLIC USE AND RECREATION

2.1(a)(4) Designated areas for collection of dead and downed timber for firewood

Woodcutting and gathering are prohibited within the park boundaries.

2.1(a)(5) Designated areas and conditions for walking, climbing on archeological cultural resource sites

There are no designated areas. Walking or climbing on archeological and cultural resource sites is prohibited.

2.1(b) Designated trails

See section 1.5(a)(1) for public use limits and closures on park trails.

2.1(c)(1-3) Designated fruits and berries, to harvest by hand for personal use

All edible fruits, berries and/or nuts may be gathered by hand for personal use or consumption in reasonable amounts not to exceed two quarts per person per day.

2.2(d) Established conditions and procedures for transporting lawfully taken wildlife through the park area

No conditions or procedures.

2.2(e) Designated areas for wildlife viewing with artificial light

No areas designated for closure.

2.3(d)(2) Fresh waters designated as open to bait fishing with live or dead minnows or other bait fish, amphibians, non-preserved fish eggs or fish roe

No waters designated as open to fishing with the types of bait identified above. Other types of bait may be used in accordance with State law.

2.4(a)(2)(i) Carrying of weapons at designated locations and times

Weapons and traps may not be carried within the park. See 2.4(a)(3), which authorizes possession of unloaded weapons that are either inoperable or inaccessible in vehicles and vessels.

2.10(a) Camping-conditions and permits

Superseded by 13.72(a).

2.10(d) Food storage – designated areas and methods

No restrictions at present.

2.11 Picnicking – designated areas

Superseded by 13.18(b).

2.13(a)(1) Fires – designated areas and conditions

Fires are allowed only in elevated fire grills and at the fire ring located in the 2001 park addition. All trash (tin foil, burnt food, glass and cans) must be removed from the fire site after use.

2.14(a)(2) Sanitation and refuse – using government receptacles

No conditions established.

2.14(a)(5) Sanitation - designated areas for bathing and washing

No designated areas; therefore, unless allowed by the Superintendent, bathing and washing of cooking utensils, food and other property at all public water outlets, fixtures or pools is prohibited.

2.14(a)(7) Sanitation – designated areas for disposal of fish remains

No designated areas at present.

2.14(a)(8) Sanitation – human waste in developed areas

Human waste must be disposed of in public restrooms and outhouses where available.

2.14(a)(9) Sanitation – designated areas for disposal of human waste in undeveloped areas

No designated areas.

2.14(b) Sanitation – conditions concerning disposal, carrying out of human waste

No conditions at present.

2.15(a)(1),(a)(3),(a)(5),(b),(e) Pets

Pets may be left unattended on park grounds for a brief period of time, not to exceed fifteen minutes. Unattended pets must be restrained. Pets may be briefly leashed to a sign post or porch post, provided they do not disturb other park visitors, restrict access or obstruct roads or walkways. Unattended pets may remain in personal vehicles in a park parking lot a maximum of four hours, provided the vehicle has adequate ventilation and the pet does not make an unreasonable amount of noise.

Pet owners must properly dispose of pet excrement deposited in the park. All excrement must be removed from park trails and grounds. Owners may dispose of

excrement in covered waste cans provided throughout the park.

2.16(a)-(c) Horses and pack animals

Superseded by 43 CFR 36.11(e).

2.17(a)(1) Aircraft operation

Superseded by 43 CFR 36.11(f)(1).

2.17(a)(2) Aircraft operation near docks, piers, swimming beaches and other designated areas

No areas prohibited at present.

2.17(c)(1) Removal of downed aircraft

Superseded by 43 CFR 36.11(f)(3)(ii)

2.18(c) Snowmobile -designated areas for use

No areas designated for snowmobile use.

Superseded in part by 43 CFR 36.11(c) Special access.

2.19(a) Winter activities – designations

Roads and parking areas open to vehicle traffic in the winter are not designated as open to winter activities.

2.20 Skating and skateboards

See section 1.5(a)(1) for public use limits and closures. Superseded by 43 CFR 36.11(e).

2.21 Smoking

All public buildings are closed to smoking unless specifically allowed and signed as a designated area. Smoking is prohibited within 100 feet of a park fuel storage facility.

These restrictions are intended to protect public health and public safety from fire or explosion around fuel storage facilities.

2.22 Property – designated areas for leaving property unattended for more than 24 hours

No designated areas.

2.35(a)(3)(i) Alcoholic beverages – areas closed to consumption

The consumption of an alcoholic beverage and/or the possession of an open bottle, can or other receptacle containing an alcoholic beverage in the park is allowed only at locations with picnic tables or where fires are allowed under 2.13(a)(1). All other areas are closed.

This limited use is implemented according to the Superintendent's determination that the consumption of an alcoholic beverage and/or the possession of an open container of an alcoholic beverage is inappropriate considering other uses of the

location and the purposes for which the park is maintained and established.

2.38(b) Explosives – areas designated for using fireworks

No areas designated for use of fireworks. Fireworks are prohibited.

2.51(e) Public assemblies/meetings – designated areas

Any park area(s) may be designated for use by the public for assemblies and meetings, provided a permit to do so has been issued by the Superintendent.

2.52(e) Sale and distribution of printed matter - areas designated for such use

Any park area(s) may be designated for use by the public for First Amendment activities, provided a permit to do so has been issued by the Superintendent.

2.60(a)(3) Designated areas for grazing

No areas designated for grazing.

2.62(b) Memorialization - designation of areas for scattering of ashes

All areas of the park are open to scattering of ashes with a permit from the Superintendent.

PART 3. BOATING AND WATER USE ACTIVITIES

3.3 Permits

No permits required at present.

3.6(i) Boating, prohibited operations – designated launching areas

No designated areas.

3.6(j) Operating a vessel not directly accessible by road

Superseded by 43 CFR 36.11(d).

3.6(k) Launching or operating airboats

Superseded by 43 CFR 36.11(d).

3.6(l) Operating a vessel in excess of designated size

No maximum size designations at present.

3.20(a) Water skiing - designated waters

No designated waters at present.

3.21(a)(1) Swimming and bathing - areas designated as closed

No areas designated as closed to swimming. All areas of the park are closed to bathing.

3.23(a) SCUBA and snorkeling – designated conditions in swimming areas, docks, etc.

No designated waters at present.

PART 4. VEHICLES AND TRAFFIC SAFETY

4.10 Travel on park roads and designated routes - areas designated for off-road use in Preserves

No designations at present. See also 43 CFR 36.11(c),(g).

4.11(a) Load weight and size limits – permit requirements and restrictive conditions

No restrictions at present.

4.21(b)-(c) Speed limits - designation of a different speed limit

Not applicable.

4.30(a) Bicycles - closed areas

Superseded by 43 CFR 36.11(e). See also Section 1.5 Closures.

4.30(d)(1) Wilderness closed to bicycle use

Not applicable.

4.31 Hitchhiking - designated areas

No conditions established.

PART 13. ALASKA REGULATIONS

SUBPART A – PUBLIC USE AND RECREATION

13.18(a) Restricted areas for camping

Areas temporarily restricted or closed to camping are listed under 13.30(d)(2).
See also 13.72(a) for camping restrictions.

13.18(b) Picnicking

No restrictions at present.

13.30(d)(1) Temporary closures and restrictions relating to the use of aircraft, motorboats, and non-motorized surface transportation or to the taking of fish and wildlife

No closures or restrictions at present.

13.30(d)(2) Temporary closures and restrictions (other)

No closures or restrictions at present.

**TITLE 43 CODE OF FEDERAL REGULATIONS - PART 36
TRANSPORTATION AND UTILITY SYSTEMS (Access Regulations)**

36.11(c) Temporary closures or restrictions on the use of snowmachines for traditional activities

No closures or restrictions at present.

36.11(d) Temporary closures or restrictions on use of motorboats

No closures or restrictions at present.

36.11(e) Temporary closures or restrictions on use of non-motorized surface transportation

See safety closure to bicycles and skating devices listed under section 1.5(a)(1) of this document. No closures or restrictions at present.

36.11(f)(1) Temporary closures or restrictions on landing areas for fixed-wing aircraft

No closures or restrictions at present.

36.11(f)(3)(ii) Established procedure for salvaging and removing downed aircraft

A permit is required from the Superintendent before downed aircraft may be salvaged and removed from the park; violation of the terms and conditions of the permit is prohibited. *This requirement allows the Superintendent to establish terms and conditions for salvage operations as necessary to protect resources, provide for public safety, and minimize impacts on visitors.*

36.11(g)(1) Use of off-road vehicles (ORV) on established trails

No trails designated for ORV use at present. ORV use is not allowed in the park.

This compendium is approved and rescinds all previous compendiums for Sitka National Historical Park.

/s/ Gregory A. Dudgeon

December 15, 2003

Superintendent

Date

Sitka National Historical Park Compendium
Rev. 12/03